

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *[Signature]* D.C.
05 AUG 22 PM 2:36

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TENN. MEMPHIS

ROY TOWNS,

Plaintiff,

v.

BAPTIST MEMORIAL HOSPITAL
FOR WOMEN AND BAPTIST
MEMORIAL HEALTH CARE
CORPORATION,

Defendants.

CIVIL ACTION NO. 03-2707-DV

**ORDER GRANTING DEFENDANTS' MOTION TO QUASH TRIAL SUBPOENA
OF STEPHEN C. REYNOLDS AND FOR PROTECTIVE ORDER**

This matter comes before the Court on Defendants' Motion to Quash the Trial Subpoena of Stephen C. Reynolds and for Protective Order. Having considered the motion, the Court finds it is well taken and should be GRANTED for the following reasons: (1) Plaintiff failed to tender fees and mileage as prescribed by Fed. R. Civ. P. 45(b)(1), thus rendering the subpoena void and invalid; (2) Plaintiff has failed to demonstrate that Reynolds possesses any relevant knowledge to which he can testify, rendering the subpoena unduly burdensome under Fed. R. Civ. P. 45(c)(3)(A).

IT IS HEREBY ORDERED that the trial subpoena of Stephen C. Reynolds is quashed and that Plaintiff is prohibited from seeking to compel the appearance of Stephen C. Reynolds at trial without permission of the Court.

This document entered on the docket sheet in compliance
with FRCP 58 and/or 79(a) FRCP on 8/24/05

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JUDGE DIANE K. VESCOVO

Date: August 19, 2005



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Honorable Bernice Donald
US DISTRICT COURT